



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

August 13, 2014

Standard R3Distribution List

Ladies and Gentlemen:

The enclosed decision notice is for purchase of a public road easement on approximately 1 mile of the road that crosses property owned by the Prickly Pear Land Trust to access adjacent United States Forest Service (USFS) lands. The USFS lands are part of the Helena National Forest. The proposed easement will provide legal public road access in perpetuity through private lands to the USFS lands in the Big Belt Mountains of central Montana. The cost of the easement is approximately \$50,000 funded by hunting license revenues through the Access Public Lands program administered by MFWP.

The purpose of the proposed easement purchase is to secure permanent public road access to the USFS lands. The easement would allow for the public use of the road that is currently closed to the public, adjacent landowner, and the Forest Service, and continue public access in perpetuity. This area provides access for hunting of elk, deer, antelope, and black bear, along with hiking, camping, and wildlife viewing in a beautiful mountain-foothill environment. Although it is difficult to determine exactly, it is estimated that this easement will provide vehicular recreational access in perpetuity to approximately 6,000-acres of USFS lands.

I accept the Proposed Action, Alternative A, identified in the draft Environmental Assessment, and FWP will proceed with purchasing the road easement from the Prickly Pear Land Trust, pending approval from the Montana Fish, Wildlife & Parks Commission. The draft version of this EA and this Decision Notice together serve as the final document for this proposal.

Questions regarding this Decision Notice should be mailed to:

Montana Fish, Wildlife & Parks
Attn: Darlene Edge
PO Box 200701
Helena MT 59620-0701
Or e-mailed to: dedge@mt.gov

Thank your interest.

Sincerely,

Patrick J. Flowers
Region Three Supervisor
Attachment



DECISION NOTICE

For

York Gulch Road Easement Purchase

Region 3 Access Public Lands Project

August 13, 2014

BACKGROUND, DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Montana Fish, Wildlife & Parks proposes to purchase a public road easement on approximately 1 mile of the road that crosses property owned by the Prickly Pear Land Trust to access adjacent United States Forest Service (USFS) lands. The USFS lands are part of the Helena National Forest. The proposed easement will provide legal public road access in perpetuity through private lands to the USFS lands in the Big Belt Mountains of central Montana. The cost of the easement is approximately \$50,000 funded by hunting license revenues through the Access Public Lands program administered by MFWP.

The purpose of the proposed easement purchase is to secure permanent public road access to the USFS lands. The easement would allow for the public use of the road that is currently closed to the public, adjacent landowner, and the Forest Service, and continue public access in perpetuity. This area provides access for hunting of elk, deer, antelope, and black bear, along with hiking, camping, and wildlife viewing in a beautiful mountain-foothill environment. Although it is difficult to determine exactly, it is estimated that this easement will provide vehicular recreational access in perpetuity to approximately 6,000-acres of USFS lands.

ALTERNATIVE A – PROPOSED ACTION:

MFWP will purchase a perpetual 1+/-mile long public road easement through the Prickly Pear Land Trust property connecting to the county road and the existing public road easement.

ALTERNATIVE B – NO ACTION:

No Action – public road access to NFS lands across Prickly Pear Land Trust property will remain closed.

PUBLIC COMMENT

In compliance with Montana Environmental Policy Act (MEPA), MFWP completed an Environmental Assessment and ensured that the public was informed of and engaged in the decision-making process. Public participation is not a referendum to measure those in favor of or opposed to a proposal, but is a mechanism for agencies to consider substantive comments.

The public comment period for this EA opened on July 23, 2014 and closed August 6, 2014. Legal notices were published in the Helena Independent Record, and on the Montana Fish, Wildlife & Parks website (<http://fwp.mt.gov>). The draft EA was also distributed to adjacent landowners, USFS, and other interested parties

Our responses to public inquiries or concerns are summarized following the DECISION. Comments in full are included in the attached Appendix.

DECISION

I accept the Proposed Action, Alternative A, identified in the draft Environmental Assessment, and FWP will proceed with purchasing the road easement from the Prickly Pear Land Trust, pending approval from the Montana Fish, Wildlife & Parks Commission.

The draft version of this EA and this Decision Notice together serve as the final document for this proposal.

A handwritten signature in black ink, appearing to read 'P. J. Flowers', with a large, sweeping loop at the end.

Patrick J. Flowers
Region 3 Supervisor
Bozeman, MT

August 13, 2014

RESPONSE TO PUBLIC COMMENTS

Public comments are summarized below by theme along with MFWP responses. Complete public comments can be found following the MFWP responses. Written comments (emails) were received from two individuals.

IN SUPPORT OF PREFERRED ALTERNATIVE

We are supportive of FWP following the Preferred Alternative to purchase the road easement, and is the best way to get a access to this area for the public.

FWP agrees that purchase of this road easement through private property to the USFS lands beyond is a wise use of hunting license revenues to provide access to public lands for the recreating public in perpetuity.

IN OPPOSITION TO THE PREFERRED ALTERNATIVE

Do not grant the easement to the Forest Service because they cannot maintain the roads that they have now.

The existing road is a low standard road constructed on soils and materials that require minimal maintenance. The public and the local community in this area have made it very clear that this access is important for hunting and recreation. The funding for this project comes from hunting license revenues earmarked for the Access Public Lands program. This project is a wise use of these funds.